

**MINUTES OF THE SPECIAL MEETING OF THE  
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER  
APRIL 28, 2017**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in special session on Friday, April 28, 2017, in the Council Chambers of City Hall located at 610 Main Street.

**CALL TO ORDER**

Presiding officer Mayor Terry Seitz called the meeting to order at 1:00 p.m.

**ROLL CALL**

Clerk-Treasurer Juanita S. Boehm then called the roll:

Mayor Terry Seitz	Present
Board member Timothy Bell	Present
Board member Nancy Eckerle	Present

Also present were City Attorney Renee Kabrick, Clerk-Treasurer Juanita Boehm, Street Commissioner Jeffrey Theising, City Engineer Chad Hurm, and Electric Manager Jerald Schitter.

Clerk-Treasurer Boehm announced that in order to have a quorum for the meeting, a majority of the board members must be present. All three board members were present, which is a majority, therefore; there was a quorum for the meeting.

**PLEDGE OF ALLEGIANCE**

Mayor Seitz invited all those present to join him in reciting the Pledge of Allegiance.

**PURPOSE.** Mayor Seitz said the purpose of the meeting was to consider a resolution to establish underground utility areas.

**BUSINESS.** Mayor Seitz said SEA 213 – the “Small Cell” bill - permits national cell phone providers to install small cell phone towers across any community without following existing permitting laws required by local governments for use of city rights-of-way. Bills of a similar nature are being enacted all across the country. He continued to say, poles could appear in our neighborhoods in city rights-of-way without city knowledge. Without any permitting, it is highly likely city officials would not even know whom to contact, either on behalf of a citizen with an issue or from any damage to our infrastructure when such poles are placed. It should be noted that small cell technology calls for poles to be installed as close together as every 200 feet so there could be hundreds of these in Jasper. Seitz went on to say, this is not anti-technology, it is about requiring providers to follow the same local ordinances that current public utilities follow.

City Attorney Renee Kabrick said communities have until May 1, 2017 to establish underground utility areas which would be done through the adoption of a resolution. The City of Jasper Board of Public Works and Safety controls such items as rights-of-way, streets, and easements; therefore, it is the Board one would come to ask permission to place something in the right-of-way by receiving a waiver. If a utility requires construction, placement, or use of a small cell facility in an Area designated strictly for underground or buried utilities, they would need to submit an application to this Board requesting a waiver to install new utility poles or new wireless support structures within the Area.

**RESOLUTION NO. BPWS 2017-2**

Mayor Seitz said the Board needs to consider RESOLUTION NO. BPWS 2017-2 entitled A RESOLUTION OF THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER, INDIANA, TO ESTABLISH AN UNDERGROUND AND BURIED UTILITY DISTRICT.

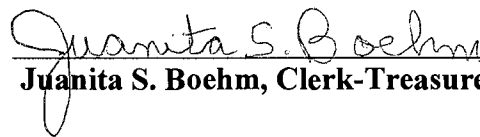
Thereafter, a motion was made by Mayor Seitz and seconded by Timothy Bell to adopt Resolution No. BPWS 2017-2. Motion carried 3-0.

**ADJOURNMENT.** There being no further business to come before the board, a motion was made by Mayor Seitz and seconded by Timothy Bell to adjourn the meeting. The motion carried 3-0 and the meeting adjourned at 1:06 p.m.

The minutes were hereby approved \_\_\_\_ with 4 without corrections or clarification this 9<sup>th</sup> day of May, 2017.

  
\_\_\_\_\_  
Timothy A. Bell, Presiding Officer

Attest:

  
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Juanita S. Boehm, Clerk-Treasurer